

Prob12B
D/NV Form
Rev. June 2014

United States District Court
for
the District of Nevada

REQUEST FOR EARLY TERMINATION OF PROBATION
Probation Form 35 (Termination of Supervised Release/Probation) is Attached
April 4, 2022

Name of Offender: **Avinash Kumar**

Case Number: **2:19-00192M**

Name of Sentencing Judicial Officer: **Honorable Cam Ferenbach**

Date of Original Sentence: **September 24, 2020**

Original Offense: **Reckless Driving**

Original Sentence: **36 Months probation**

Date Supervision Commenced: **September 24, 2020**

Name of Assigned Judicial Officer: **Honorable Cam Ferenbach**

PETITIONING THE COURT

☒ To terminate the term of probation

CAUSE

The purpose of this report is to request an early termination of Avinash Kumar's probation. By way of case history, Kumar was sentenced to three (3) years of probation for the offense of reckless driving. Kumar commenced probation September 24, 2020 in the District of Nevada. Kumar is expected to complete probation, absent of any violations and/or revocation on September 23, 2023.

Pursuant to 18 U.S.C. § 3584(c), The Court, after considering the factors set forth in section 3553(a) to the extent that they are applicable, may, pursuant to the provisions of the Federal Rules of Criminal Procedure relating to the modification of probation, terminate a term of probation previously ordered and discharge the defendant at any time in the case of a misdemeanor or an infraction or at any time after the expiration of one year of probation in the

RE: Avinash Kumar

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case of a felony, if it is satisfied that such action is warranted by the conduct of the defendant and the interest of justice.

The Guide to Judiciary Policy, Volume 8E, Chapter 3, has endorsed criteria for assessing whether an offender who satisfies the minimal statutory factors should be recommended for early termination: At 18 months, there is a presumption in favor of recommending early termination for persons who meet the following criteria: (1) The person does not meet the criteria of a career drug offender or career criminal (as described in 20 U.S.C. § 944 (h)) or has not committed a sex offense or engaged in terrorism; (2) The person presents no identifies risk of harm to the public or victims; (3) The person is free from any court-reported violations over a 12-month period; (4) The person demonstrates the ability to lawfully self-manage beyond the period of probation; (5) The person is in substantial compliance with all conditions of supervision; and (6) The person engages in appropriate prosocial support to remain lawful well beyond the period of supervision.

While on probation, Kumar has not incurred any arrests and/or documented negative contact with law enforcement. Kumar has a stable residence with his fiancé and is currently employed doing in-house marketing for Eldorado Resorts Corporation.

The United States Attorney's Office was notified of this recommendation on March 22, 2022 and provided 10 days to respond. As of the date of this report a response has not been received.

To date, Kumar has served more than 18 months of the 36 months' probation ordered. The Probation Office has no reason to believe that he would return to criminal activity if terminated from probation and respectfully recommends early termination be granted in this matter. If the Court agrees with our recommendation, we have attached a Probation form 35 for your signature.

Respectfully submitted,

Amanda Stevens
United States Probation Officer

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Approved:



Digitally signed by Todd
Fredlund
Date: 2022.04.04 15:27:27
-07'00'

Todd J. Fredlund
Supervisory United States Probation Officer

THE COURT ORDERS

- ☐ No Action.
- ☐ The extension of supervision as noted above.
- ☐ The modification of conditions as noted above
- ☐ Other (please include Judicial Officer instructions below):

Signature of Judicial Officer

Date

PROBATION FORM NO. 35
(1/92)

Report and Order Terminating Probation/
Supervised Release
Prior to Original Expiration Date

United States District Court

FOR THE DISTRICT OF

NEVADA

UNITED STATES OF AMERICA

v.

Crim No. 2:19-00192M

Avinash Kumar

On September 24, 2020 the above named was placed on supervised release for a period of three (3) years. He/she has complied with the rules and regulations of supervised release and is no longer in need of supervised release. It is accordingly recommended that he/she be discharged from supervised release.

Respectfully submitted,



Digitally signed by
Amanda Stevens
Date: 2022.04.04
15:05:18 -07'00'

Amanda Stevens
United States Probation Officer

ORDER OF THE COURT

Pursuant to the above report, it is ordered that the defendant is discharged from supervised release and that the proceedings in the case be terminated.

Dated this 22nd day of April, 2022



Cam Ferenbach
United States Magistrate Judge